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## PART 46—FEDERAL VOTING ASSISTANCE PROGRAM

## Sec.

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AUTHORITY: Pub. L. 296, 84th Congress and  
10 U.S.C. 133.

SOURCE: 45 FR 84766, Dec. 23, 1980, unless  
otherwise noted.

### § 46.1 Reissuance and purpose.

This rule reissues this part dated September 25, 1963, and implements the Provisions of Executive Order 10646, November 23, 1955, wherein the Secretary of Defense was designated the Federal Coordinator for assigning responsibility and prescribing procedures to implement the absentee voting program authorized by the Federal Voting Assistance Act of 1955 (FVAA) and the Overseas Citizens Voting Rights Act of 1975 (OCVRA). This part assigns responsibility and delegates authority to the Deputy Assistant Secretary of Defense (Administration) to carry out this program on behalf of the Secretary of Defense.

### § 46.2 Applicability and scope.

(a) The provisions of this part apply to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, and the Defense Agencies (hereafter referred to as the “DoD Components”).

(b) Other executive departments and agencies shall provide assistance to this program, upon request, as provided by sections 1973cc–11 and 1973cc–13 of FVAA and 1973dd–2b of OCVRA. (Participating departments and agencies shall adopt regulations and procedures

that conform to this part to the extent practicable, consistent with their organization missions.)

### § 46.3 Definitions.

For the purpose of administering the Federal Voting Assistance Program, the following definitions apply:

(a) *Federal Election*. Any general, special, or primary election held solely or in part for the purpose of selecting, nominating, or electing any candidate for the office of President, Vice President, Presidential Elector, Member of the United States Senate, Member of the United States House of Representatives, Delegate from the District of Columbia, Resident Commissioner from the Commonwealth of Puerto Rico, Delegate from Guam, or Delegate from the Virgin Islands.

(b) *State election*. Any general, special, or primary election held solely or in part for the purpose of selecting, nominating, or electing any candidate for any State office, such as, governor, lieutenant governor, or attorney general.

(c) *Local election*. An election which is less than a State election, such as a municipal, county, or township election.

(d) *Military Services*. Refers to the Army, Navy, Air Force, Marine Corps, and the Coast Guard.

(e) *Uniformed Services*. Refers to the Army, Navy, Air Force, Marine Corps, Coast Guard, the Commissioned Corps of the U.S. Public Health Service, and the Commissioned Corps of the National Oceanic and Atmospheric Administration.

(f) *Voter*. A person in any of the following categories who is authorized by law and who is registered to vote in any primary, special, or general election.

(1) Members of the Uniformed Services or Merchant Marine in active service and their spouses and dependents, wherever stationed.

(2) U.S. citizens temporarily residing outside the United States.

(3) Other U.S. citizens residing outside the United States not covered by any other category mentioned above and whose intent to return to their State of last residence may be uncertain.